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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Curtis, Rory A.J.

Group Art Unit: 1646

Serial No.: 09/587,111

Examiner: Ulm, J. D.

Filed: June 2, 2000

For: NOVEL MEMBERS OF THE  
CAPSAICIN/VANILLOID RECEPTOR FAMILY OF  
PROTEINS AND USES THEREOF

Attorney Docket No.: MNI-062CP2DV1

Commissioner for Patents  
Washington, D.C. 20231

Certificate of First Class Mailing (37 CFR 1.8(a))

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September 25, 2002

Date of Signature and of Mail Deposit

By:

Maria Laccotripe Zacharakis, Ph.D.

Attorney for Applicant

Limited Recognition Under 37 CFR §10.9(b)

DECLARATION PURSUANT TO 37 CFR §1.131

Dear Sir:

I, Rory A.J. Curtis, a citizen of the United Kingdom, residing at 9 Thayer Street,

Framingham, Massachusetts 01702, hereby declare as follows:

(1) I am the inventor of the subject matter described and claimed in the above-identified application.

(2) Prior to January 22, 1999, the invention described and claimed in the above-referenced patent application was completed in this country, as evidenced by the following:

(a) Prior to January 22, 1999 I had completed the sequencing of the full length human VR-2 (SEQ ID NO:5) as evidenced by copies of the assembled contig map and the complete sequence of SEQ ID NO:5 derived from the contig map. The contig map and sequence print-out are submitted herewith as Exhibits A and B, respectively.

(b) The dates deleted from the contig map (Exhibit A) and the sequence print-out (Exhibit B) are prior to January 22, 1999.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this Application for Patent or any patent issuing thereon.

Rory Curtis  
Rory A.J. Curtis, Ph.D.

9/23/02  
Date